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Human resources management

Amendments to the Staff Regulations

Report of the Secretary-General

1. The present report contains amendments to the Staff Regulations that are needed to enhance the accountability of United Nations staff with respect to both financial accountability of staff involved in the management of the Organization's resources and disciplinary accountability of United Nations staff members who commit sexual exploitation and sexual abuse.

Amendment relating to financial disclosure

2. The Secretary-General continues to place great emphasis on the accountability of staff involved in the management of the Organization's resources, including avoiding situations that could give rise to potential conflicts of interest with their duties and responsibilities set out in the Staff Regulations and Rules as international civil servants of the United Nations.

3. With the adoption by the General Assembly of the revised text of article I of the Staff Regulations in General Assembly resolution 52/252 of 8 September 1998, staff members at the level of Assistant Secretary-General and above were required by staff regulation 1.2(n) to file financial disclosure statements to enable the Secretary-General to ascertain potential conflict of interest situations and to minimize the risk of officials being perceived as using their position for personal gain.

4. In consideration of the above, the Secretary-General recommends that the General Assembly extend the financial disclosure requirement currently applicable to staff members at the Assistant Secretary-General level and above to all staff members at the D-1/L-6 and D-2/L-7 levels. In addition, and in order to strengthen and extend the authority to issue additional rules in respect of particular groups of staff (such as finance officers and procurement officers) granted to him in paragraph 10 of the above resolution, the Secretary-General recommends that the General Assembly amend the Staff Regulations to give him authority to require financial disclosure statements from additional staff as he deems necessary.

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5. The text of the amendment to staff regulation 1.2(n), which would be necessary to expand the scope of the financial disclosure requirement as described above, is set out in full in the annex to the present report.

Amendment establishing sexual exploitation and sexual abuse as serious misconduct

6. The Secretary-General remains committed to eliminating sexual exploitation and sexual abuse perpetrated by United Nations staff and peacekeeping personnel.

7. The General Assembly in its resolution 59/300 of 22 June 2005 endorsed the recommendations of the Special Committee on Peacekeeping Operations (A/59/19/Add.1) relating to the report on a comprehensive strategy to eliminate future sexual exploitation and abuse in United Nations peacekeeping operations (A/59/710), which included a recommendation to clarify in the Staff Regulations that sexual exploitation and sexual abuse constitute serious misconduct. The definitions of "sexual exploitation" and "sexual abuse" are set out in the Secretary-General's bulletin entitled "Special measures for protection from sexual exploitation and sexual abuse" (ST/SGB/2003/13).

8. In order to implement the recommendation, the Secretary-General proposes the amendment of staff regulation 10.2 (see annex).

Annex

Amendments to the Staff Regulations

Regulation 1.2

Conflict of interest

(n) All staff members at the D-1 or L-6 level and above shall be required to file financial disclosure statements on appointment and at intervals thereafter as prescribed by the Secretary-General, in respect of themselves, their spouses and their dependent children, and to assist the Secretary-General in verifying the accuracy of the information submitted when so requested. The financial disclosure statements shall include certification that the assets and economic activities of the staff members, their spouses and their dependent children do not pose a conflict of interest with their official duties or the interests of the United Nations. The financial disclosure statements will remain confidential and will only be used, as prescribed by the Secretary-General, in making determinations pursuant to staff regulation 1.2 (m). The Secretary-General may require other staff to file financial disclosure statements as he deems necessary in the interest of the Organization.

Regulation 10.2

The Secretary-General may impose disciplinary measures on staff members whose conduct is unsatisfactory.

Sexual exploitation and sexual abuse constitute serious misconduct.

The Secretary-General may summarily dismiss a member of the staff for serious misconduct.